

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b>		Attorney Docket No. <b>VIGN1470-1</b>
		First Inventor or Application Identifier <b>John C. Artz, Jr.</b>
		Title <b>SYSTEM AND METHOD FOR DETECTING GAPS IN A DATA STREAM</b>
(Only for nonprovisional applications under 37 CFR § 1.53(b))		Express Mail Label No. <b>EV351127091US</b>
<b>APPLICATION ELEMENTS</b> <small>See MPEP chapter 600 concerning utility patent application contents.</small>		<b>ADDRESS TO:</b> <b>Mail Stop Patent Application</b> Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450
<p>1. <input checked="" type="checkbox"/> Fee Transmittal for FY 2003 <i>(Submit an original and a duplicate for processing)</i></p> <p>2. <input checked="" type="checkbox"/> Specification [Total Pages] <b>32</b> <i>(preferred arrangement set forth below)</i></p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Descriptive Title of the Invention</li> <li><input checked="" type="checkbox"/> Cross References to Related Applications</li> <li><input checked="" type="checkbox"/> Background of the Invention</li> <li><input checked="" type="checkbox"/> Summary of the Invention</li> <li><input checked="" type="checkbox"/> Brief Description of the Drawings <i>(if filed)</i></li> <li><input checked="" type="checkbox"/> Description of Preferred Embodiments</li> <li><input type="checkbox"/> References</li> <li><input checked="" type="checkbox"/> Claim(s)</li> <li><input checked="" type="checkbox"/> Abstract of the Disclosure</li> </ul> <p>3. <input checked="" type="checkbox"/> Drawing(s) <i>(35 USC 113)</i> [Total Sheets] <b>4</b></p> <p>4. <input checked="" type="checkbox"/> Oath or Declaration [Total Pages] <b>2</b></p> <ul style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> Unexecuted (original or copy)</li> <li>b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 17 completed)</i> <ul style="list-style-type: none"> <li>i. <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)</li> </ul> </li> </ul> <p>5. <input type="checkbox"/> Incorporation By Reference <i>(useable if box 4b is checked)</i>. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered to be part of the disclosure of the accompanying application and is hereby incorporated by reference therein.</p>		<p>6. <input type="checkbox"/> Microfiche Computer Program <i>(Appendix)</i></p> <p>7. <input type="checkbox"/> Nucleotide and Amino Acid Sequence Submission <i>(if applicable, all necessary)</i></p> <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> Computer-Readable Copy</li> <li>b. <input type="checkbox"/> Paper Copy <i>(identical to computer copy)</i></li> <li>c. <input type="checkbox"/> Statement verifying identity of above copies</li> </ul>
<b>ACCOMPANYING APPLICATION PARTS</b>		
<p>8. <input type="checkbox"/> Assignment Papers <i>(cover sheet &amp; document(s))</i></p> <p>9. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney <i>(when there is an assignee)</i></p> <p>10. <input type="checkbox"/> English Translation Document <i>(if applicable)</i></p> <p>11. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations</p> <p>12. <input type="checkbox"/> Preliminary Amendment</p> <p>13. <input checked="" type="checkbox"/> Return Receipt Postcard</p> <p>14. <input type="checkbox"/> Small Entity <input type="checkbox"/> Statement filed in prior application, Status still proper and desired</p> <p>15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i></p> <p>16. <input checked="" type="checkbox"/> Other: <b>Certificate of Mailing; Filing Fee; Request for Non-Publication</b></p>		
17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment		
<input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-In-Part (CIP)    of prior Application No.: _____		
Prior application information: Examiner _____ Group / Art Unit _____		
<input checked="" type="checkbox"/> Claims the benefit of Provisional Application No. <b>60/394,619</b>		
<b>CORRESPONDENCE ADDRESS:</b>		
Customer No. 25094 Gray Cary Ware & Freidenrich LLP 1221 South MoPac Expressway, Suite 400 Austin, TX 78746-6875 Tel. (512) 457-7216 Fax. (512) 457-7001		 <b>25094</b> <small>PATENT TRADEMARK OFFICE</small>

TYPED or PRINTED NAME *Ari G. Arzt*REGISTRATION NO. **51,388**SIGNATURE *[Signature]*DATE: **July 9, 2003**

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16523 U.S. PTO  
07/09/03

# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 984.00)

**Complete if Known**

Application Number	<b>Unassigned</b>
Filing Date	<b>July 9, 2003</b>
First Named Inventor	<b>John C. Artz, Jr.</b>
Examiner Name	<b>Unassigned</b>
Art Unit	<b>Unassigned</b>
Attorney Docket No.	<b>VIGN1470-1</b>

**METHOD OF PAYMENT (check all that apply)**

Check    Credit Card    Money Order    Other    None

Deposit Account Number **50-0456**Deposit Account Name **Gray Cary Ware & Freidenrich LLP**

The Commissioner is authorized to: (check all that apply)

Charge (fees) indicated below.    Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for filing fee to the above-identified deposit account.

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	(\\$)	(\\$)
1001	2001	375	Utility filing fee
1002	2002	165	Design filing fee
1003	2003	260	Plant filing fee
1004	2004	375	Reissue filing fee
1005	2005	80	Provisional filing fee
<b>SUBTOTAL (1) (\$ 750.00)</b>			<b>750.00</b>

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
33	-20** =	13 X _____	= <b>234.00</b>
Independent Claims	3 -3** =	0 X _____	= _____
Multiple Dependent	X _____	= _____	

Large Entity	Small Entity	Fee Description	
Fee Code	Fee Code	(\\$)	
1202	18	2202 9	Claims in excess of 20
1201	84	2201 42	Independent claims in excess of 3
1203	280	2203 140	Multiple dependent claim, if not paid
1204	84	2204 42	** Reissue independent claims over original patent
1205	18	2205 9	** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2) (\$ 234.00)</b>			

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity   Small Entity

Fee Code	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051 65	Surcharge - late filing fee or oath	
1052	50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053 130	Non-English specification	
1812	2,520	1812 2,520	For filing a request for ex parte reexamination	
1804	920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251 55	Extension for reply within first month	
1252	410	2252 205	Extension for reply within second month	
1253	930	2253 465	Extension for reply within third month	
1254	1,450	2254 725	Extension for reply within fourth month	
1255	1,970	2255 985	Extension for reply within fifth month	
1401	320	2401 160	Notice of Appeal	
1402	320	2402 160	Filing a brief in support of an appeal	
1403	280	2403 140	Request for oral hearing	
1451	1,510	1451 1,510	Petition to institute a public use proceeding	
1452	110	2452 55	Petition to revive - unavoidable	
1453	1,300	2453 650	Petition to revive - unintentional	
1501	1,300	2501 650	Utility issue fee (or reissue)	
1502	470	2502 235	Design issue fee	
1503	630	2503 315	Plant issue fee	
1460	130	1460 130	Petitions to the Commissioner	
1807	50	1807 50	Processing fee under 37 CFR 1.17(d)	
1806	180	1806 180	Submission of Information Disclosure Stmt	
8021	40	8021 40	Recording each patent assignment per property (times number of properties)	
1809	750	2809 375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	2810 375	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	750	2801 375	Request for Continued Examination (RCE)	
1802	900	1802 900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$)****SUBMITTED BY**

Complete( if applicable)

Name (Print/Type)	Ari G. Akmal	Registration No. (Attorney/Agent)	51,388	Telephone	512-457-7216
Signature				Date	July 9, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

<b>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</b>	
<b>CERTIFICATE OF MAILING BY "EXPRESS MAIL"</b>	
	Atty Docket No. (Optional) <b>VIGN1470-1</b>
<b>Mail Stop Patent Application</b> Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	In the Application of: <b>John C. Artz, Jr. et al.</b>
	Date Filed: <b>July 9, 2003</b>
	Title: <b>SYSTEM AND METHOD FOR DETECTING GAPS IN A DATA STREAM</b>
	Sir:

I hereby certify that the attached Utility Patent Application Transmittal Form, Fee Transmittal, unexecuted Declaration and Power of Attorney, Utility Patent Application, four (4) pages of Drawings, Request for Non-Publication, Check and Postcard are being deposited with the United States Postal Service "EXPRESS MAIL Post Office to Addressee" service under 37 C.F.R. § 1.10, Mailing Label Certificate No. **EV351127091US**, on **July 9, 2003**, addressed to: **Mail Stop Patent Application**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Respectfully submitted,  
**Gray Cary Ware & Freidenrich LLP**



Laura M. McGuire

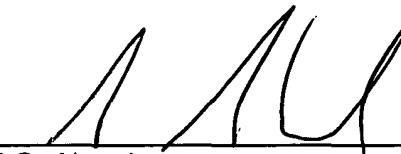
<b>REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor	<b>John C. Artz, Jr.</b>
	Title	<b>METHOD AND SYSTEM FOR DETECTING GAPS IN A DATA STREAM</b>
	Atty. Docket:	<b>VIGN1470-1</b>

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

July 9, 2003

Date

Ari G. Akmal  
Reg. No. 51,388



This request must be signed in compliance with 37 C.F.R. 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 C.F.R. 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 C.F.R. 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.